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18   UNITED STATES DISTRICT COURT

19   DISTRICT OF NEVADA

20 ORACLE USA, INC., a Colorado corporation;   CASE NO. 2:10-cv-0106-LRH-PAL
    ORACLE AMERICA, INC., a Delaware
21 corporation; and ORACLE INTERNATIONAL   **DECLARATION OF KIERAN P.**
    CORPORATION, a California corporation,   **RINGGENBERG IN SUPPORT OF**
22   **ORACLE'S MOTION FOR LEAVE TO**
                    Plaintiffs,   **SUPPLEMENT ITS MOTION FOR**
23   v.   **COSTS AND ATTORNEYS' FEES**

24 RIMINI STREET, INC., a Nevada corporation;   Judge: Hon. Larry R. Hicks
    SETH RAVIN, an individual,
25
                    Defendants.
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2   I, Kieran P. Ringgenberg, declare as follows:

3   1.   I am an attorney admitted to practice law in the State of California and before the

4   Court in this action *pro hac vice*. I am a partner with Boies, Schiller & Flexner LLP, counsel to

5   Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation

6   (collectively "Oracle" or "Plaintiffs") in this action. This supplemental declaration is made in

7   support of Oracle's Motion for Costs and Attorneys' Fees, Dkt. 917 (the "Motion").

8   2.   I have been involved in this matter since Oracle first retained Boies, Schiller &

9   Flexner LLP ("BSF"). Based on my work on this matter since 2010, my involvement in billing

10   on this matter, and my review of the files and records in this matter, I have firsthand knowledge

11   of the contents of this declaration, except where otherwise noted as based on information and

12   belief, and I could testify thereto.

13   3.   Exhibit 1 is a summary of (1) BSF's attorneys' fees claimed, (2) expert fees

14   claimed for Elysium Digital, and (3) the total amount of other costs incurred during October and

15   November 2015 subject to reimbursement by Oracle.

16   4.   ███████████████████████████████████████

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22   5.   Exhibit 2 totals the number of unredacted hours of billable time from Boies

23   Schiller attorneys and other billable timekeepers during October and November 2015, reflected

24   on the invoices attached as Exhibits 3 and 4 to this declaration. Exhibit 2 lists the hours for each

25   timekeeper.

26   6.   This supplemental filing includes only fees and costs that could not be practicably

27   included, and were not included, in Oracle's Motion filed on November 13, 2015.

28   **Boies, Schiller & Flexner LLP Fees and Billing Practice**

7.   True and correct, redacted copies of BSF's invoices to Oracle on this matter for

1

1

2   time and expenses for October and November 2015 are attached as Exhibits 3 (October) and

3   4 (November). Time entries and expenses for which Oracle does not seek recovery have been

4   redacted from these invoices, as have payment details such as bank account numbers.

5   8.   Oracle has redacted and does not seek recovery of $1,124,308 in fees paid for

6   2,330.5 hours billed by BSF attorneys and other timekeepers for this matter from January 2010

7   through November 2015. Oracle redacted 87.2 hours from BSF's October and November 2015

8   invoices attached to this declaration, totaling $32,185. Oracle redacted 2,243.3 hours from

9   BSF's invoices from January 2010 through September 2015, filed with the Motion on

10 November 13, 2015, totaling $1,092,123.

11   9.   ███

12 ███

13   10.   The totals in Exhibits 1 and 2 do not include billed and paid amounts for block-

14 billed entries where all or part of the description of the work was redacted due to privilege or

15 other reasons.

16   11.   Oracle paid the amounts due for all bills attached as Exhibits 3 and 4, for the

17 amounts described in those bills net of write-offs and summarized in Exhibits 1 and 2, except for

18 the November 2015 bill, which is in process for payment.

19   12.   ███

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24   13.   In connection with Oracle's Motion, I personally reviewed the billing records for

25 this case, and others on the team reviewed them as well. All timekeepers track their time by the

26 day to the nearest tenth of an hour. Based on my review and involvement in this matter, the time

27 billed by BSF attorneys and other timekeepers, and the expenses incurred, requested in Oracle's

28 Motion were reasonable in light of the needs of the case, the complexity of the issues, and the

conduct of defendants during the course of the litigation.

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2   14.   Oracle's team of in-house counsel was closely involved in the litigation of this

3 matter, monitored BSF's work, and reviewed BSF's bills.

4   **Expenses**

5   15.   In addition to attorneys' fees, Oracle incurred costs relating to this case, including

6 travel, court fees, copying costs, delivery costs, and expert costs. The costs incurred by BSF

7 subject to reimbursement by Oracle during October and November 2015, and sought by Oracle

8 on its Motion, totaled $275,699.24. A summary of those costs is contained in Exhibit 1. True

9 and correct copies of invoices to Oracle reflecting these costs, redacted to remove entries not

10 sought in Oracle's Motion, are contained in Exhibits 3 and 4 to this declaration.

11   16.   BSF maintains accounting records in the ordinary course of business in which

12 expenses are logged as they are incurred. The accounting records include a record of every

13 expense incurred during the course of this matter subject to reimbursement. The expenses

14 charged to Oracle during October and November 2015 in this case are reflected in the monthly

15 bills attached as Exhibits 3 and 4, which Oracle paid net of write-offs, except for the November

16 2015 invoices, payment of which is in process. Those costs are summarized in Exhibit 1 hereto.

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19   17.   Oracle incurred costs from Elysium Digital, L.L.C. ("Elysium") in this matter.

20 Elysium billed for the time of testifying expert Christian Hicks and also provided computer

21 scientists and other specialized staff who supported Mr. Hicks and testifying expert Professor

22 Randall Davis. Elysium also provided necessary support to Oracle attorneys on the numerous

23 technical matters in connection with this litigation.

24   18.   True and correct copies of the invoices from Elysium for October 2015 are

25 attached as Exhibit 5, redacted to omit time entries reflecting costs Oracle is not seeking to

26 recover and payment details such as bank account numbers. The total non-redacted amount paid

27 to Elysium during October 2015 is $11,059.09. These costs are summarized in Exhibit 1.

28   19.   Oracle incurred costs from Legal Media Inc. Legal Media Inc. provided trial

graphics and video in this matter, including for the services of Matthew Spalding, who displayed

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2   the graphics and videotaped deposition testimony during trial. A true and correct copy of the

3   invoice from Legal Media Inc. for October 2015 in the amount of $47,646.79 is attached as

4   Exhibit 6, redacted to exclude payment details such as bank account numbers. These costs are

5   summarized in Exhibit 1.

6

7   I declare that the foregoing is true under penalty of perjury of the laws of the United

8   States.

9   Executed this 6th day of January, 2016, at Oakland, California.

10   */s/ Kieran Ringgenberg*
                               Kieran Ringgenberg

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DECLARATION OF K. RINGGENBERG ISO ORACLE'S MOTION FOR
LEAVE TO SUPPLEMENT ITS MOTION FOR COSTS AND ATTORNEYS' FEES

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2   **ATTESTATION OF FILER**

3   The signatory to this document is Kieran Ringgenberg, and I have obtained Mr.

4   Ringgenberg's concurrence to file this document on his behalf.

5

6   Dated: January 6, 2016   MORGAN, LEWIS & BOCKIUS, LLP

7   By: /s/ *Thomas S. Hixson*
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DECLARATION OF K. RINGGENBERG ISO ORACLE'S MOTION FOR
LEAVE TO SUPPLEMENT ITS MOTION FOR COSTS AND ATTORNEYS' FEES